



COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

FOR OFFICIAL USE ONLY (MTC)

ENVIRONMENTAL DETERMINATION NO. ED09-041

DATE: June 3, 2010

PROJECT/ENTITLEMENT: Edwards Minor Use Permit DRC2008-00148

APPLICANT NAME: David & Mavi Edwards

ADDRESS: 1095 Pomeroy Rd, Nipomo CA, 93444

CONTACT PERSON: David Edwards

Telephone: 805-929-1673

PROPOSED USES/INTENT: Request by David and Mavi Edwards for a Minor Use Permit to allow temporary events at an existing site containing residential and agricultural structures. The applicants are proposing to hold 16 events annually, with up to 200 attendees each. These events will be in addition to the continuing use of the facility for non-profit events. Events will occur primarily in the existing barn (approximately 3,000 square feet in size). No additional site disturbance is required. The proposed project is within the Residential Rural land use category.

LOCATION: The project is located at the southwest corner of Pomeroy and Willow Roads (addressed as 1095 Pomeroy Road), immediately adjacent to the community of Nipomo and the village of Blacklake. The site is in the South County (Inland) planning area.

LEAD AGENCY: **County of San Luis Obispo Department of Planning & Building**
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on June 17, 2010

20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ **Lead Agency**
☐ **Responsible Agency** approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

Michael Conger

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency



Initial Study Summary – Environmental Checklist

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Promoting the Wise Use of Land • Helping to Build Great Communities

(vor 3.3) J200 Form

Project Title & No. David Edwards Minor Use Permit ED09-041 (DRC2008-00148)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input checked="" type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise	<input checked="" type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Michael Conger

Prepared by (Print)

Signature

14 MAY 2010

Date

John Nell

Reviewed by (Print)

Signature

Ellen Carroll,
Environmental Coordinator
(for)

5/14/10
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 200, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by David and Mavi Edwards for a Minor Use Permit to allow temporary events at an existing site containing residential and agricultural structures. The applicants are proposing to hold 16 events annually, with up to 200 attendees each. These events will be in addition to the continuing use of the facility for non-profit events. Events will occur primarily in the existing barn (approximately 3,000 square feet in size). No additional site disturbance is required. The proposed project is within the Residential Rural land use category, and is located at the southwest corner of Pomeroy and Willow Roads (addressed as 1095 Pomeroy Road), immediately adjacent to the community of Nipomo and the village of Blacklake. The site is in the South County (Inland) planning area.

BACKGROUND: The Edwards Barn was constructed in 2003 as an agricultural accessory structure. Lawns and gardens adjacent to the barn were also subsequently installed. In 2004, a Minor Use Permit request to allow the barn to be used for events was denied by the Planning Commission. The denial was based on concerns regarding neighborhood compatibility. Since 2004, the barn has been used to host non-profit events (which are exempt from land use permit requirements). While code enforcement has responded to one complaint since that time, no violations of County regulations have been recorded.

ASSESSOR PARCEL NUMBER(S): 091-240-073

Latitude: 120° 31 ' 32.746" N **Longitude:** 35° 2 ' 48.969 " W

SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: South County (Inland), Rural

LAND USE CATEGORY: Residential Rural

COMBINING DESIGNATION(S): None

EXISTING USES: Single family residence; barn

TOPOGRAPHY: Nearly level

VEGETATION: Grasses; ornamental landscaping

PARCEL SIZE: 5 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Recreation; retail commercial	<i>East:</i> Residential Rural; residential
<i>South:</i> Residential Rural; residential	<i>West:</i> Residential Rural; residential

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	<i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	<i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Edwards Barn is an existing legally permitted structure located near the corner of Pomeroy and Willow Roads. The South County Area Plan recognizes both Pomeroy and Willow Roads as arterials. This intersection also marks the boundary between the community of Nipomo and the village of Blacklake. While this area is predominately residential, a small neighborhood-serving commercial center is proposed to be located on the northwest corner of the intersection.

The County is currently in the design-phase for circulation improvements which would ultimately extend Willow Road east of the existing intersection with Pomeroy to connect with US Highway 101 and Thompson Avenue. Completion of these improvements would further emphasize the importance of this intersection as a gateway to the community of Nipomo.

The Edwards Barn was constructed as an agricultural accessory building in 2003. The building itself is roughly 3,000 square feet in size and has a traditional barn appearance. The exterior facades of the building are composed of wood salvaged from other older barns. The building is painted a traditional deep red. Presently, non-profit events (which are exempt from land use permit requirements) are regularly hosted in the barn.

Impact.

Effects to Visual Character – This project would allow the site to host private events (e.g. weddings, private parties, etc.). The project would not necessitate any alterations to the exterior of the barn. The barn's bucolic appearance and location at a major intersection arguably enhances the rural character of this part of the Nipomo Mesa. As the structure is existing and no exterior alterations are necessary, impacts to the visual character of the area are anticipated to be negligible.

Glare and Night Lighting – Events could take place at night, and could occur both inside and outside of the barn structure. As part of this, it is anticipated that use of exterior lighting fixtures may occur. If fixtures are situated high up, improperly shielded, or are directed outward towards the exterior boundaries of the property, it could result in impacts due to glare. These impacts are considered mitigable.

Signage – Banners, signs, and other decorative material can be reasonably anticipated to be placed within public view in association with events. In certain circumstances, this can contribute towards a “clutter” of signage, which may be considered aesthetically incompatible with the rural residential neighborhood. This impact is considered mitigable.

Mitigation/Conclusion. In order to reduce aesthetic impacts to a less-than-significant level, the applicant agrees to incorporate the following mitigation measures into the project:

- **Exterior lighting plan.** The applicant will submit an exterior lighting plan showing all existing and proposed lighting fixtures. The plan will need to show the height, location, and intensity of all exterior fixtures. Additionally, a fixture schematic shall be provided to demonstrate appropriate shielding. The plan shall ensure that the following limitations are adhered to:
 - Fixtures shall be directed downward or towards a structure and not outwards towards exterior property boundaries.
 - All lighting elements and reflective surfaces shall be fully shielded from off-site view.
 - Fixtures shall not be installed at a height greater than 15 feet above finish grade.
 - All fixtures, poles, hoods, and shielding features shall be dark colored.
- **Limitation on hours.** Use of exterior lighting in association with an event shall not extend beyond 10:30 p.m. on weeknights (Sunday night through Thursday night) or Midnight on weekends (Friday night and Saturday night). In circumstances where exterior lighting is necessitated for emergency purposes, use of the lighting beyond these hours would be allowable, provided that the use of the lighting is minimized to only what is necessary to address the urgent conditions.
- **Limitation on Event-Related Signage.** Banners, signs, or decorative materials are limited to being posted on the day of an event, and must be removed by the following day.
- **Limitation on Signage Height.** Any freestanding sign or sign support structure is limited to a height of no more than 5 feet. If located within 15 feet of the right-of-way lines for Pomeroy or Willow Roads, this height is further restricted to 3 feet.

With the incorporation of the above measures, impacts pertaining to night lighting and signage are anticipated to be reduced to a less-than-significant level.

2. AGRICULTURAL RESOURCES

- Will the project:

a) **Convert prime agricultural land to non-agricultural use?**

Potentially
Significant

☐

Impact can
& will be
mitigated

☐

Insignificant
Impact

☒

Not
Applicable

☐

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Project Elements. The following area-specific elements relate to the property's importance for agricultural production:

Land Use Category: Rural Residential

Historic/Existing Commercial Crops: None

State Classification: Farmland of Statewide Importance

In Agricultural Preserve? No

Under Williamson Act contract? No

The soil type(s) and characteristics on the subject property include:

Oceano sand (0 - 9 % slope). This nearly level to gently sloping sandy soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: poor filtering capabilities. The soil is considered Class VI without irrigation and Class IV when irrigated.

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Expose any sensitive receptor to substantial air pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create or subject individuals to objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be inconsistent with the District's Clean Air Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed the 2009 CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

The project site is presently developed with a barn, gardens, a single family residence, and a portable restroom facility. The area immediately surrounding the barn and gardens is proposed to be used for event parking. This area has largely been covered with base material to reduce fugitive dust emissions. The County is presently in non-attainment for particulate matter emissions.

Impact. Regarding construction-phase emissions, no construction dust is anticipated, as the project would not necessitate any new ground disturbance. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan.

Fugitive Dust – The project would result in an increase in vehicles entering and leaving the site. Airborne dust could be generated from these vehicles, particularly if access drives and parking areas are unimproved. These emissions could contribute towards a cumulatively significant impact.

Mitigation/Conclusion. In order to reduce impacts associated with fugitive dust to a less-than-significant level, the applicant has agreed to incorporate the following measures into the project:

- **Paving/Basing and Maintenance.** The applicant shall base and/or pave the primary public access drive and all areas designated for event parking. Maintenance shall occur as necessary to ensure that the basing/paving treatment remains functional so as not to result in generation of fugitive dust.
- **Posted Speed Limit.** A speed limit of 15 miles per hour shall be posted at the primary access point. Site plans to be submitted during the building permit phase shall show the location of the speed limit signage. Signage shall be installed prior to any final inspections occurring.
- **Dust Monitor.** During events, a person or persons shall be designated to monitor for dust and implement additional control measures, as necessary, to prevent transport of dust offsite. The monitor's duties shall include holidays and weekends when events are occurring. The name and telephone number of the monitor(s) shall be provided to the Air Pollution Control District.

With the incorporation of the above measures, the project's contribution towards cumulative air quality impacts would be mitigated to a less-than-significant level.

4. BIOLOGICAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. BIOLOGICAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Impact wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The following are existing elements on or near the proposed project relating to potential biological concerns:

On-site Vegetation: Crop production, grassland with scattered coast live oaks and eucalyptus

Name and distance from blue line creek(s): Black Lake Canyon (1.3 miles northwest)

Habitat(s): N/A

The Natural Diversity Database (or other biological references) identified the following species potentially existing within approximately one mile of the proposed project:

The proposal would involve operation of an existing barn for events. All events will occur within the barn and the adjacent garden area. The barn has been operated continuously with non-profit events for the past five years. Parking will occur adjacent to the barn in a highly-disturbed area, which has been surfaced with Class II base.

Vegetation

Kellogg's horkelia (*Horkelia cuneata* ssp. *sericea*) has been found about 1 mile to the west. This perennial herb is found on sandy or gravelly soils in closed cone coniferous forest, chaparral and coastal scrub habitats (Tibor 2001) at elevations between 10 and 200 meters (30 ft to 660 ft). The typical blooming period is April-September. Kellogg's horkelia is considered extremely rare by CNPS (List 1B, 3-3-3).

Pismo clarkia (*Clarkia speciosa* ssp. *immaculate*) has been found about 0.25 miles to the west. This annual herb occurs on low, sandy hills (up to the 185 meter (600-foot) elevation) from Pismo to Edna Valley. Pismo clarkia populations are found in valley and foothill grasslands, and in the margins between chaparral and oak woodland communities near the coast. This species is listed as Federally endangered, State rare, and extremely rare by CNPS (List 1B, RED 3-3-3).

Sand mesa manzanita (*Arctostaphylos rudis*) has been found onsite. This evergreen shrub is generally found on sandy soils in chaparral and coastal scrub areas between the 25 and 230-meter (80 to 760 foot) elevations (Tibor 2001). The blooming period is November-February. The sand mesa manzanita is considered rare by CNPS (List 1B, RED 2-2-3).

Impact. The project involves the operation of existing facilities in a highly disturbed area. Vegetation adjacent to the barn and associated parking areas is limited to ornamental species. During site visits, no sensitive species were observed. Because the events will occur in highly disturbed areas, the likelihood that sensitive species would be present in these areas is minimal. No new structures or additional disturbed areas would be proposed as part of this project.

The site was visited in July 2009 by County staff. At that time, no signs of vernal pooling were present. Vernal pooling is unlikely to occur on the site, because the site's soils consist of Oceano sands, which are highly permeable and not conducive to water impoundment.

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. CULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area.

Impact. A Phase I (surface) survey was conducted (Conway 1998) No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

6. GEOLOGY AND SOILS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

GEOLOGY - The following relates to the project's geologic aspects or conditions:

Topography: Nearly level

Within County's Geologic Study Area?: No

Landslide Risk Potential: Negligible

Liquefaction Potential: Moderate

Nearby potentially active faults?: No Distance? n/a

Area known to contain serpentine or ultramafic rock or soils?: No

Shrink/Swell potential of soil: Low

Other notable geologic features? None

DRAINAGE – The following relates to the project's drainage aspects:

Within the 100-year Flood Hazard designation? No

Closest creek? Black Lake Canyon Distance? Approximately 1.3 miles

Soil drainage characteristics: Well drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.080 or CZLUO Sec. 23.05.042) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that

caused by historic flows.

SEDIMENTATION AND EROSION – Soil type, amount of disturbance and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the the project's soil erodibility is as follows:

Soil erodibility: Low

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090, CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact. Presently, the project site regularly hosts non-profit events. This project involves the continued operation of the existing barn and adjacent gardens for events purposes. No additional site disturbance is required to accommodate this project.

Mitigation/Conclusion. There is no evidence that measures above what will already be required by ordinance or codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

The barn on the project site was legally permitted as an agricultural barn. As such, building codes did not require that the barn be designed with extensive fire protection measures or to allow evacuation of

up to 200 attendees. As such, holding events in the barn could potentially pose a fire hazard for the attendees.

Parking will need to be provided on-site. If parking occurs in areas with combustible material, this could also pose a potential fire hazard.

Mitigation/Conclusion.

The applicant has agreed to incorporate the following mitigation measures into the project:

- **Building Code Compliance** – Prior to holding events under this permit, the applicant shall apply for, obtain issuance, and complete final inspections on a construction permit to change the occupancy class on the barn to allow for public assembly. This will ensure that the barn will comply with California Building Code requirements for fire protection and the ability to evacuate the building in the event of a disaster.
- **Limitation on Parking** – Parking shall be limited to designated areas only. As per Air Quality mitigations, these areas will need to be based or paved, which will prevent growth of combustible vegetation.
- **Collaboration with CalFire** – The applicant shall provide notification to CalFire of all events in excess of 100 attendees. Notifications shall be provided at least 2 weeks in advance of the event. All temporary events held under this permit shall be available for CalFire's inspection.

With the incorporation of the above measures, impacts pertaining to fire hazards will be reduced to a less-than-significant level.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is located at the southwest corner of Pomeroy and Willow Roads. The project site is in an area designated Residential Rural, which is typically characterized by development of single family residences on parcels of 5 acres or more. The Black Lake Village subdivision is located to the north of the project site, which has single family residential development at a greater density.

There are presently five off-site single family residences located within 500 feet of the barn:

Distance	Direction	Address
325 feet	East	1078 Pomeroy Road
425 feet	South	1079 Pomeroy Road
462 feet	North	605 Misty Glen Place
470 feet	North	611 Misty Glen Place

Distance	Direction	Address
483 feet	East	1098 Pomeroy Road
497 feet	North	615 Misty Glen Place

The closest off-site single family residence is located 325 feet to the east. The topography between the barn and each of the above residences is relatively level with no significant intervening geographical features.

With the exception of one residence (1079 Pomeroy) an arterial road – either Pomeroy or Willow – lies between the barn and each residence. The Noise Element recognizes these arterial roads as a potential non-stationary source for noise.

Often times amplified sound will be used in association with an event. Amplified sound could carry beyond the project site's boundaries. The County has an existing noise and vibration ordinance in place, which sets limits on noise as measured at the property line. This ordinance is enforceable by the County Sheriff.

Impact. Conducting additional events on the project site could result in generation of unacceptably loud noise. Adding temporary events to the continuing operation for non-profit events could result in additional frequency of noise. Noise associated with events could include amplified sound, traffic entering and leaving the site, and general noise that would be expected from a group of people.

Mitigation/Conclusion. The applicant has agreed to incorporate the following mitigation measures into the project:

- **Limitation on Amplified Sound** – Amplified sound shall be restricted to within the barn.
- **Decibel Limitation** – At no time shall noise levels, when measured at any location outside of the subject property, exceed the following noise levels (hourly equivalent sound level): 45 decibels maximum one hour after sunset to 10:00 a.m., and 50 decibels maximum from 10:00 a.m. to one hour after sunset, seven days a week.
- **Noise Monitor** – The applicant shall designate an employee to be the noise monitor. The noise monitor shall be available by telephone to respond to any noise complaints. The applicant agrees to provide a telephone number to reach a designated noise monitor to the County and any neighbor who requests it. The telephone number provided shall allow the County and/or neighbor to reach the noise monitor during all events.
- **Additional Noise Attenuation Measures** – In the event that three (3) unique noise complaints are received by the County Sheriff and/or Code Enforcement within any two-month period, the applicant agrees to meet with County Planning and/or complainants to discuss any additional noise attenuation measures that are agreeable to all parties. Should an agreement not be reached, County Planning may pursue revised conditions of approval through the revocation process, pursuant to Section 22.74.160.

9. POPULATION/HOUSING -
Will the project:

- a) *Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?*

Potentially
Significant

☐

Impact can
& will be
mitigated

☐

Insignificant
Impact

☒

Not
Applicable

☐

9. POPULATION/HOUSING - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project area is served by the following public services/facilities:

Police: County Sheriff

Location: Oceano Approximately 6.5 miles to the northwest

Fire: Cal Fire (formerly CDF)

Hazard Severity: High

Response Time: 5-10 minutes

Location: Approximately 2.2 miles to the east

School District: Lucia Mar Unified School District.

Impact. No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection. Additionally, the project site could contribute road trips to impacted intersections on the Nipomo Mesa, such as Tefft Street and Highway 101. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Regarding cumulative effects, public facility (county) and road impact fee (South County Road Impact Fee Area) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.

11. RECREATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Parks and Recreation Element does not show any potential trail alignment through the proposed project site. The project is not proposed in a location that will affect any trail, park or other recreational resource.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**12. TRANSPORTATION/
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The county has established the acceptable Level of Service (LOS) on roads for this rural area as "C" or better. The existing road network in the vicinity of the project site is operating at acceptable levels. Other locations on the Nipomo Mesa, however, may be operating lower service levels during PM peak hours. Events at this facility, however, are typically held outside off peak times. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable.

Referrals were sent to Public Works. A traffic study was requested and completed in order to determine if a left turn lane is warranted (Pool 2009). That study determined that, upon completion of planned and funded intersection improvements at Willow and Pomeroy Roads, a left turn lane into the project site will not be warranted. The study was peer reviewed by a second traffic engineer, who concurred with the findings (Orosz 2010).

The project is subject to the South County Road Fee, which addresses cumulative impacts to county roads in the area. This fee provides the means to collect "fair share" monies from new development to help fund certain regional road improvements that will be needed once the area reaches "buildout". No significant project-specific traffic-related concerns were identified.

Currently, the barn operates for non-profit events only. Use permit approval is not required in order to operate non-profit events. These non-profit events are not restricted in number, maximum attendance, frequency, or time. Because the barn has been historically functioning as an events center for these non-profit events (i.e. the use has continuously occurred for the past 5 years), traffic generated from non-profit events is considered to be part of the environmental baseline. This Minor Use Permit would authorize an additional 16 "for-profit" events, in addition to recognizing the continuous non-profit use of the site. Therefore, for the purposes of environmental analysis, only those trips beyond the number of trips generated for non-profit events are considered.

Impact. The project is anticipated to generate an average of between 6 and 13 trips per day. This number was calculated by determining the number of events proposed and the number of people in attendance at each event. Two trips (i.e. one arriving, one leaving) were assumed for each event. A high figure (assuming one attendee per vehicle) and a low figure (assuming two attendees per vehicle) were used to arrive at a total number of trips ranging between 2,350 and 4,700 per year. That number was then divided by 365.25 to arrive at an average daily trip calculation. The following table summarizes the number of events and the number of trips anticipated to be generated:

Number of Events (/yr)	People in Attendance	Number of Trips (/yr)
6	Up to 100	600 - 1,200
5	Up to 150	750 - 1,500
5	Up to 200	1,000 - 2,000
TOTAL		2,350 - 4,700

By the nature of the use, events typically do not occur during peak travel times. Events are most common in the evenings and on weekends when overall traffic counts are lighter (Pool 2009). Additionally, improvements to the Willow Road / Pomeroy Road intersection are anticipated to begin shortly (Orosz 2010), which will have the end effect of reducing traffic volumes on Pomeroy Road and creating an overall improvement in area circulation.

Nonetheless, any new trips generated will have the potential to cumulatively impact South County circulation. Cumulative impacts are offset through the South County Road Fee program. This project will be required to contribute its fair share towards road impact fees, which is based upon the number of peak hour trips generated.

Mitigation/Conclusion. The project will be required to contribute towards the South County Road Impact Fee, in order to offset cumulative impacts. No project-specific transportation/traffic impacts have been identified. Therefore no further mitigation is necessary beyond what is already required.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Regulations and guidelines on proper wastewater system design and criteria are found within the County's Plumbing Code (hereafter CPC; see Chapter 7 of the Building and Construction Ordinance [Title 19]), the "Water Quality Control Plan, Central Coast Basin" (Regional Water Quality Control Board [RWQCB] hereafter referred to as the "Basin Plan"), and the California Plumbing Code. These regulations include specific requirements for both on-site and community wastewater systems. These regulations are applied to all new wastewater systems.

Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type(s) for the project is provided in the listed in the previous Agricultural Resource section. The main limitation(s) of this soil for wastewater effluent include:

--**poor filtering characteristics** due to the very permeable nature of the soil, without special engineering will require larger separations between the leach lines and the groundwater basin to provide adequate filtering of the effluent.

Impacts/Mitigation. During the construction permit phase of the project, the County will review the proposed septic system for compliance with the California Plumbing Code and Central Coast Basin Plan. In order to comply with these requirements the applicant will need to demonstrate the following:

- ✓ The project has sufficient land area per the County's Land Use Ordinance to support an on-site system;
- ✓ The soil's percolation rate is adequate (generally between 30 to 120 minutes per inch);
- ✓ There is adequate soil separation between the bottom of the leach line to bedrock or high groundwater;
- ✓ The soil's slope is less than 20%;
- ✓ The leach lines are outside of the 100-year flood hazard area;
- ✓ There is adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines are at least 100 feet from creeks and water bodies.

Based on the above discussion and information provided, the site appears to be able to design an on-site system that will meet CPC/Basin Plan requirements. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant will need to show to the county compliance with the County Plumbing Code/ Central Coast Basin Plan, including any above-discussed information relating to potential constraints. Therefore, based on the project being able to comply with these regulations, potential groundwater quality impacts are considered less than significant.

14. WATER - Will the project:		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project proposes to use Nipomo Community Services District (NCSD) as its water source. NCSD presently serves the project site with water. Current water use includes a single-family residence and water use associated with the non-profit events. Water use amongst event attendees is generally limited to lavatory facilities and drinking fountains. All events are catered with foods prepared off-site.

The topography of the project site is nearly level. The closest stream from the proposed development is approximately 1.25 miles away (northwest, Black Lake Canyon). As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

The project will be using water extracted from the Santa Maria groundwater basin, which is made up of three interconnected sub areas (Tri-Cities, Nipomo Mesa, Santa Maria). Approximately 30 percent of the basin's area lies north of the Santa Maria river in San Luis Obispo County.

In 1994, the Department of Water Resources (DWR) began an update of the 1979 study of the Arroyo Grande Valley – Nipomo Mesa Area groundwater sub area and the northern portion of the Santa Maria River Valley groundwater sub area. The study, "Water Resources of the Arroyo Grande - Nipomo Mesa Area", was completed and published in 2003. The study contains the following findings and conclusions:

- Observations of groundwater elevations in 1975, 1985 and 1995 revealed the development and subsequent expansion of a depression in groundwater elevations generally south of Willow Road and east of Highway 1 - the south central portion of the Nipomo Mesa.
- Nipomo Community Services District and Southern California Water Company have many of their wells in or near the depression. The extractions of these two agencies have increased from about 940 afy in 1979 to 2,790 afy in 1995 and 3,620 in 2000.
- There have also been increases in demand for water to serve rural residences and agricultural uses.
- Since the depression enlarges, the reduced water in storage could result in increased inflow from Santa Maria Valley and decreased outflow to the ocean from the mesa and the valley. If the pumping depression on the mesa pulls in water from the Santa Maria Valley, the possibility exists for the poorer quality groundwater of the valley, containing high concentrations of dissolved solids, to locally reduce the quality of the mesa's groundwater. Also, in the future, if subsurface outflows to the ocean cease, and the seaward hydraulic gradient is reversed, this condition could lead to seawater intrusion of the groundwater resources. Currently, there is no evidence of seawater intrusion.

A major source of recharge for the Nipomo Mesa is deep percolation of precipitation. This makes the groundwater basin vulnerable to protracted periods of below-average rainfall.

Political/Legal History. In 1998, a complaint was filed by agricultural pumpers in Santa Barbara County against the basin's water purveyors, including the City of Santa Maria, the Nipomo community Services District (NCSD) and Cal Cities Water Co. Because of inconsistencies in the DWR study, the County commissioned an additional study by S.S. Papadopoulos & Associates (SSPA) to provide clarification of water issues on the Mesa. SSPA concluded that the data presented in the DWR study correctly identified overdraft conditions in the Nipomo Mesa area of the groundwater basin.

Concurrently, the judge in the groundwater litigation issued a finding that the basin as a whole was not being overdrafted and that there was insufficient evidence to support the existence of sub-basins.

The County's Water Resources Advisory Committee (WRAC) reviewed the SSPA study and the judge's decision and concluded that overdraft in the Nipomo Mesa area either exists currently or is imminent. In November 2004 the Board of Supervisors certified Level of Severity II (projected water demand will equal or exceed estimated dependable supply within 7 years) and approved several actions intended to strengthen water conservation efforts in the Nipomo Mesa area.

Litigation of the basin has resulted in a settlement in which the stipulating parties have agreed to a "physical solution establishing a legal and practical means for ensuring the Basin's long-term sustainability". The physical solution establishes three management areas, creates a management entity for each area and directs each management entity to monitor groundwater conditions and prepare plans for dealing with water shortages. The agenda for the Nipomo Mesa Management Area

(NMMA) also includes importation of at least 2,500 acre feet per year of supplemental water by the NCSD from the City of Santa Maria and an agreement of the major water purveyors in the area to purchase some of that water. New urban uses proposed by stipulating parties within the service area of a major water purveyor or within the Sphere of Influence of the NCSD must obtain water service from the local supplier. New urban uses proposed by stipulating parties outside these areas and within one-quarter mile of a service area or NCSD Sphere of Influence must conduct good faith negotiations with the local supplier before forming a mutual water company to provide water service.

County Actions. The following chronology of action taken by the Board of Supervisors shows the measures taken to address water usage in the Nipomo area:

1. May, 2006 - Board adopts the following as a part of the annual Growth Management Ordinance update:
 - Reaffirm limiting new residential development in the Nipomo Mesa Area to an annual 1.8% growth rate;
 - Change the Level of Severity for Water Supply from II to III (existing water demand equals or exceeds dependable supply); however, the Board further determined that a building moratorium would not be necessary based on implementing the following measures, as well as environmental determinations for development proposals on the Nipomo Mesa would continue to be made on a case-by-case basis, where an EIR would not necessarily be required if water supply is identified as the only significant issue. The following water conservation measures were required of all new development (and added as County LUO planning area standards) as of August, 2006:
 - Require all sink faucets in bathrooms and kitchens in new residences be equipped with automatic shut off devices. This also applies when a bathroom is added, or when the floor area is increased by twenty per cent (20%). Automatic shut off faucets operate by means of a hands-free electric sensor.
 - Require drip-line irrigation for all landscaped areas (except turf areas) installed for new construction. The drip irrigation system must include an automatic rain shut-off device, soil moisture sensors, a separate meter for outdoor water and an operating manual to instruct the building occupant on how to use and maintain the water conservation hardware.
 - The maximum amount of turf (lawn) area may not exceed twenty percent of the site's total irrigated landscape area, and, in all cases the site's total irrigated landscape area shall be limited to 1,500 square feet.
2. August, 2006 - Board approves new requirements for all land divisions accepted for processing and General Plan Amendments submitted after June 23, 2006 in the Nipomo and the Nipomo Mesa areas as follows:
 - Applications for general plan amendments and land divisions in the Nipomo Mesa Water Conservation Area shall include documentation regarding estimated existing and proposed non-agricultural water demand for the land division, or development that could occur with the General Plan Amendment;
 - For the land division, if this documentation indicates that the proposed non-agricultural water demand exceeds the demand without the land division, the project will be subject to contributing towards acquiring supplemental water.
3. June 26, 2007 - Board reaffirms level of Severity III and directs staff to prepare additional water conservation ordinance(s), as a part of the County's Resource Management System annual update. The new ordinance(s) will require the establishment of retrofit program(s) and/or other new water conservation program(s) where new development will be required to participate to offset/reduce new impacts to water consumption from the Nipomo Mesa groundwater basin.

Other items also in effect relating to Nipomo Water include:

- The County Flood Control and Water Conservation District will implement improved well monitoring and water quality monitoring programs for the Nipomo Mesa area; and
 - Water purveyors in the Nipomo Mesa area are encouraged to strengthen their water conservation programs, increase their use of reclaimed water and continue their efforts to secure supplemental water.
 - In an effort to monitor the effectiveness of these water conservation measures, each annual update of the Growth Management Ordinance will include data to indicate if the water use rate per dwelling unit is trending downward. If progress toward water conservation targets is not evident, further growth limitations may be recommended.
4. 2008 - Water conservation ordinances for the Nipomo Mesa Water Conservation Area were adopted by the Board of Supervisors in 2008. Title 8 of the County Code now requires that toilets and showerheads in structures within the NMWCA be retrofitted at time of sale with lower using fixtures including 1.28 gallon per flush toilets (High Efficiency Toilets or HET). Another ordinance requires new development to pay a fee into an area wide conservation program operated by the Nipomo Community Services District. The District will use the fees collected to complete water audits, subsidize retrofits of existing development and to address outdoor water use.

Impact. The site is presently used as an events center for non-profit events. This proposal would allow the addition of 16 "for profit" events. Evaluation of impacts is limited to the increase in water use beyond existing (i.e. "baseline") conditions. Existing water use, including water use associated with the non-profit events, is not considered as part of this analysis. No changes in outdoor water use are anticipated, as the site is already landscaped.

The addition of 16 events would be anticipated to result in an increase in water use of up to 0.15 acre-feet per year. This number represents a conservative estimate of approximately 21 gallons of water per event attendee. Even using this conservative estimate, the amount of increase in water use is considered to be negligible.

Regarding surface water quality, as proposed, the project will result in negligible site disturbance. Events are proposed using existing facilities (e.g. barn, restrooms, etc.). Minimal site work will be necessary in order to ensure that the restroom complies with Uniform Plumbing Code requirements, and in order to upgrade the existing septic system or install a new one. The project is located on level land and is not within close proximity to surface water sources. Therefore water quality impacts are anticipated to be minimal.

Mitigation/Conclusion. Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - <i>Will the project:</i>	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
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15. LAND USE - Will the project:		Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a)	<i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	<i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past</i>				

projects, the effects of other current projects, and the effects of probable future projects)

☐☒☐☐

c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

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For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Information", or the California Environmental Resources Evaluation System at: http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Divisions have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	None
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	None
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Fish and Game	None
<input type="checkbox"/>	CA Department of Forestry (Cal Fire)	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Transportation	None
<input checked="" type="checkbox"/>	Nipomo Community Service District	In File**
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> South County (Inland) Area Plan and Update EIR
<u>County documents</u>	<input checked="" type="checkbox"/> South County Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input type="checkbox"/> Real Property Division Ordinance	
<input type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Bumgardner, Erika (February 27, 2004). Mitigated Negative Declaration and Notice of Determination [not certified]. Edwards Minor Use Permit; D030049P / ED03-252. San Luis Obispo, Calif.: County of San Luis Obispo, Department of Planning and Building.

This document sites Conway (1998).

Poole, Richard L. (December 23, 2009). Edwards Barn #DRC2008-00148 APN 091-247-008. Santa Barbara, Calif.: Associated Transportation Engineers (ATE).

Orosz, Stephen A. (April 14, 2010). Edwards Barn #DRC2008-00148 peer review of traffic study. Santa Ynez, Calif.: Orosz Engineering Group (OEG).

Exhibit B - Mitigation Summary Table

Aesthetic Resources

- AE-1) At the time of application for construction permits**, the applicant shall submit an exterior lighting plan showing all existing and proposed lighting fixtures. The plan shall show the height, location, and intensity of all exterior fixtures. Additionally, a fixture schematic shall be provided to demonstrate appropriate shielding. The plan shall ensure that the following limitations are adhered to:
- a) Fixtures shall be directed downward or towards a structure and not outwards towards exterior property boundaries.
 - b) All lighting elements and reflective surfaces shall be fully shielded from off-site view.
 - c) Fixtures shall not be installed at a height greater than 15 feet above finish grade.
 - d) All fixtures, poles, hoods, and shielding features shall be dark colored.
- AE-2) For the life of the project**, use of exterior lighting in association with an event shall not extend beyond 10:30 p.m. on weeknights (Sunday night through Thursday night), or Midnight on weekends (Friday or Saturday nights). Use of lighting beyond these hours is acceptable where necessitated for emergency purposes, provided that the use of lighting is minimized only to what is necessary to address the urgent conditions.
- AE-3) For the life of the project**, banners, signs, or decorative materials on the project site are limited to being posted on the day of the event, and shall be removed by the following day.

Air Quality

- AQ-1) A speed limit of 15 miles per hour shall be posted at the primary access point. At the time of application for construction permits**, the site plan shall show the location and copy of the speed limit signage.
- AQ-2) Prior to final inspections and/or establishment of the use**, whichever occurs first, the primary public access drive and all areas designated for parking shall be surfaced with pavement, road base, asphalt grindings, or other suitable dust-control surfacing treatment.
- AQ-3) Prior to final inspections and/or establishment of the use**, whichever occurs first, a speed limit of 15 miles per hour shall be posted at the primary access point.
- AQ-4) During all events for the life of the project**, a person or persons shall be designated to monitor for dust and implement additional control measures, as necessary, to prevent transport of dust offsite. The monitor's duties shall include holidays and weekends when events are occurring. The name and telephone for the monitor(s) shall be provided to the Air Pollution Control District.
- AQ-5) For the life of the project**, maintenance of access drives and parking areas shall occur as necessary to ensure that the basing/paving treatment remains functional so as not to result in the generation of fugitive dust.

Hazards

- H-1) Prior to establishment of the use**, the applicant shall apply for, obtain issuance, and complete final inspections on a construction permit to change the occupancy class on the barn to allow for public assembly. The barn shall be modified to comply with California Building Code requirements, including requirements related to fire protection and ability to evacuate the building in the event of an emergency.

- H-2) For the life of the project, parking shall be limited to the designated based/paved parking areas only. Parking areas shall be maintained to prevent the growth of combustible vegetation.**
- H-3) Prior to each event for the life of the project, the applicant shall provide notification to CalFire of all events in excess of 100 attendees. Notifications shall be provided at least 2 weeks in advance of the event, where possible. For events where advance notice is limited due to circumstances outside of the applicant's control (e.g. funerals), notification shall be given to CalFire at the earliest possible opportunity. All temporary events held under this permit shall be available for CalFire inspection.**

Noise

- N-1) For the life of the project, amplified sound shall be restricted to within the barn.**
- N-2) For the life of the project, when measured at any exterior property line, noise shall not exceed the following noise levels (hourly equivalent sound level):**
- a) One hour after sunset until 10:00 a.m.: 45 decibels.**
 - b) 10:00 a.m. until one hour after sunset: 50 decibels.**
- N-3) For the life of the project, the applicant shall designate an employee to serve as a noise monitor. The noise monitor shall be available by telephone to respond to any noise complaints. The applicant and successors in interest shall provide a telephone number to reach the designated noise monitor to the County and any neighbor who requests it. The telephone number provided shall allow the County and/or neighbor to reach the noise monitor during all events.**
- N-4) For the life of the project, the applicant agrees to meet with County Planning and/or complainants to discuss any additional noise attenuation measures. This meeting shall occur in the event that three (3) unique noise complaints are received by the County Sheriff and/or Code Enforcement within any two-month period. The purpose of the meeting will be to discuss additional noise attenuation measures that are agreeable to all parties. In the event that additional noise attenuation is not agreed upon to the satisfaction of the County, the County may pursue revised conditions of approval through the revocation process (pursuant to Section 22.74.160 of the Land Use Ordinance).**

Date: May 20, 2010

DEVELOPER'S STATEMENT FOR
Edwards Minor Use Permit
DRC2008-00148 / ED09-041

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

Aesthetic Resources

AE-1) At the time of application for construction permits, the applicant shall submit an exterior lighting plan showing all existing and proposed lighting fixtures. The plan shall show the height, location, and intensity of all exterior fixtures. Additionally, a fixture schematic shall be provided to demonstrate appropriate shielding. The plan shall ensure that the following limitations are adhered to:

- a) Fixtures shall be directed downward or towards a structure and not outwards towards exterior property boundaries.
- b) All lighting elements and reflective surfaces shall be fully shielded from off-site view.
- c) Fixtures shall not be installed at a height greater than 15 feet above finish grade.
- d) All fixtures, poles, hoods, and shielding features shall be dark colored.

Monitoring AE-1: Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator prior to issuance of construction permits.

AE-2) For the life of the project, use of exterior lighting in association with an event shall not extend beyond 10:30 p.m. on weeknights (Sunday night through Thursday night), or Midnight on weekends (Friday or Saturday nights). Use of lighting beyond these hours is acceptable where necessitated for emergency purposes, provided that the use of lighting is minimized only to what is necessary to address the urgent conditions.

AE-3) For the life of the project, banners, signs, or decorative materials on the project site are limited to being posted on the day of the event, and shall be removed by the following day.

Monitoring AE-2 and AE-3: Compliance will be verified by the Department of Planning and Building in consultation with the Sheriff's Office. Code Enforcement actions will be taken to rectify any violations. Continuous violations may result in such actions as permit revocation or nuisance abatement.

Air Quality

- AQ-1)** A speed limit of 15 miles per hour shall be posted at the primary access point. At the time of application for construction permits, the site plan shall show the location and copy of the speed limit signage.

Monitoring AQ-1: Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator prior to issuance of construction permits.

- AQ-2)** Prior to final inspections and/or establishment of the use, whichever occurs first, the primary public access drive and all areas designated for parking shall be surfaced with pavement, road base, asphalt grindings, or other suitable dust-control surfacing treatment..

- AQ-3)** Prior to final inspections and/or establishment of the use, whichever occurs first, a speed limit of 15 miles per hour shall be posted at the primary access point.

Monitoring AQ-2 and AQ-3: Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator prior to issuance of certificates of occupancy.

- AQ-4)** During all events for the life of the project, a person or persons shall be designated to monitor for dust and implement additional control measures, as necessary , to prevent transport of dust offsite. The monitor's duties shall include holidays and weekends when events are occurring. The name and telephone for the monitor(s) shall be provided to the Air Pollution Control District.

- AQ-5)** For the life of the project, maintenance of access drives and parking areas shall occur as necessary to ensure that the basing/paving treatment remains functional so as not to result in the generation of fugitive dust.

Monitoring AQ-4 and AQ-5: Compliance will be verified by the Department of Planning and Building in consultation with the Air Pollution Control District. Code Enforcement actions will be taken to rectify any violations. Continuous violations may result in such actions as permit revocation or nuisance abatement.

Hazards

- H-1)** Prior to establishment of the use, the applicant shall apply for, obtain issuance, and complete final inspections on a construction permit to change the occupancy class on the barn to allow for public assembly. The barn shall be modified to comply with California Building Code requirements, including requirements related to fire protection and ability to evacuate the building in the event of an emergency.

Monitoring H-1: The use being authorized (i.e. "for profit" events) shall not take place until building permits to change the occupancy of the barn have been fully effectuated and certificate(s) of occupancy issued. Failure to comply with this requirement may result in code enforcement actions, including permit revocation and/or nuisance abatement.

- H-2) For the life of the project,** parking shall be limited to the designated based/paved parking areas only. Parking areas shall be maintained to prevent the growth of combustible vegetation.
- H-3) Prior to each event for the life of the project,** the applicant shall provide notification to CalFire of all events in excess of 100 attendees. Notifications shall be provided at least 2 weeks in advance of the event, where possible. For events where advance notice is limited due to circumstances outside of the applicant's control (e.g. funerals), notification shall be given to CalFire at the earliest possible opportunity. All temporary events held under this permit shall be available for CalFire inspection.

Monitoring H-2 and H-3: Compliance will be verified by the Department of Planning and Building in consultation with CalFire. Code Enforcement actions will be taken to rectify any violations. Continuous violations may result in such actions as permit revocation or nuisance abatement.

Noise

- N-1) For the life of the project,** amplified sound shall be restricted to within the barn.
- N-2) For the life of the project,** when measured at any exterior property line, noise shall not exceed the following noise levels (hourly equivalent sound level):
- a) One hour after sunset until 10:00 a.m.: 45 decibels.
 - b) 10:00 a.m. until one hour after sunset: 50 decibels.
- N-3) For the life of the project,** the applicant shall designate an employee to serve as a noise monitor. The noise monitor shall be available by telephone to respond to any noise complaints. The applicant and successors in interest shall provide a telephone number to reach the designated noise monitor to the County and any neighbor who requests it. The telephone number provided shall allow the County and/or neighbor to reach the noise monitor during all events.
- N-4) For the life of the project,** the applicant agrees to meet with County Planning and/or complainants to discuss any additional noise attenuation measures. This meeting shall occur in the event that three (3) unique noise complaints are received by the County Sheriff and/or Code Enforcement within any two-month period, after attempts to resolve the situation with the noise monitor have failed. Complaints which were not preceded by attempts to resolve the situation with the noise monitor shall not be counted for the purposes of this measure. The purpose of the meeting will be to discuss additional noise attenuation measures that are agreeable to all parties. In the event that additional noise attenuation is not agreed upon to the satisfaction of the County, the County may pursue revised conditions of approval through the revocation process (pursuant to Section 22.74.160 of the Land Use Ordinance).

Monitoring N-1 through N-4: Compliance will be verified by the Department of Planning and Building in consultation with the Sheriff's Office. Code Enforcement actions will be taken to rectify any violations. Continuous violations may result in such actions as permit revocation or nuisance abatement.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Mari Edwards

Signature of Owner(s)

David Edwards

5/21/10

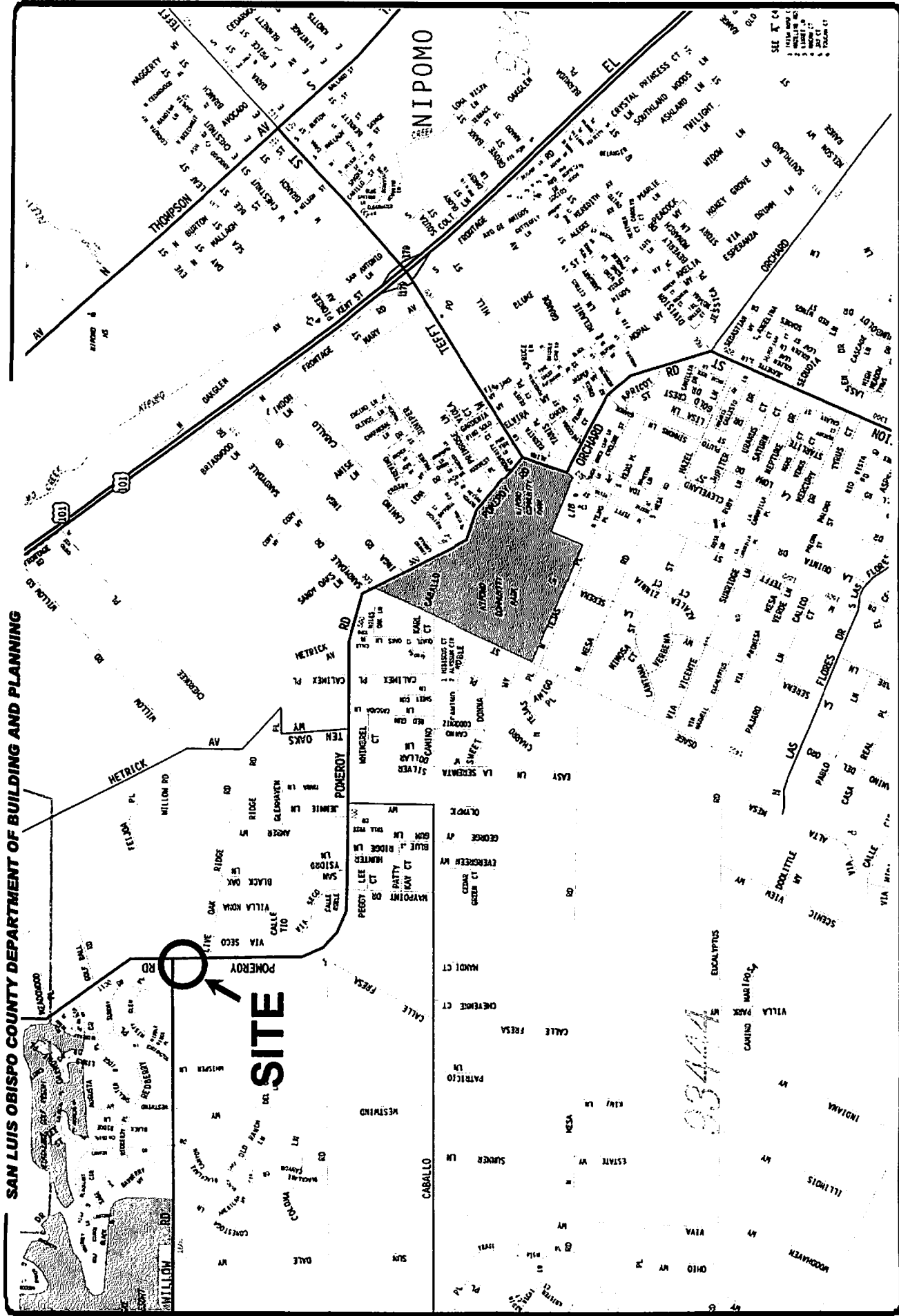
Date

Mari Edwards

Name (Print)

David Edwards

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



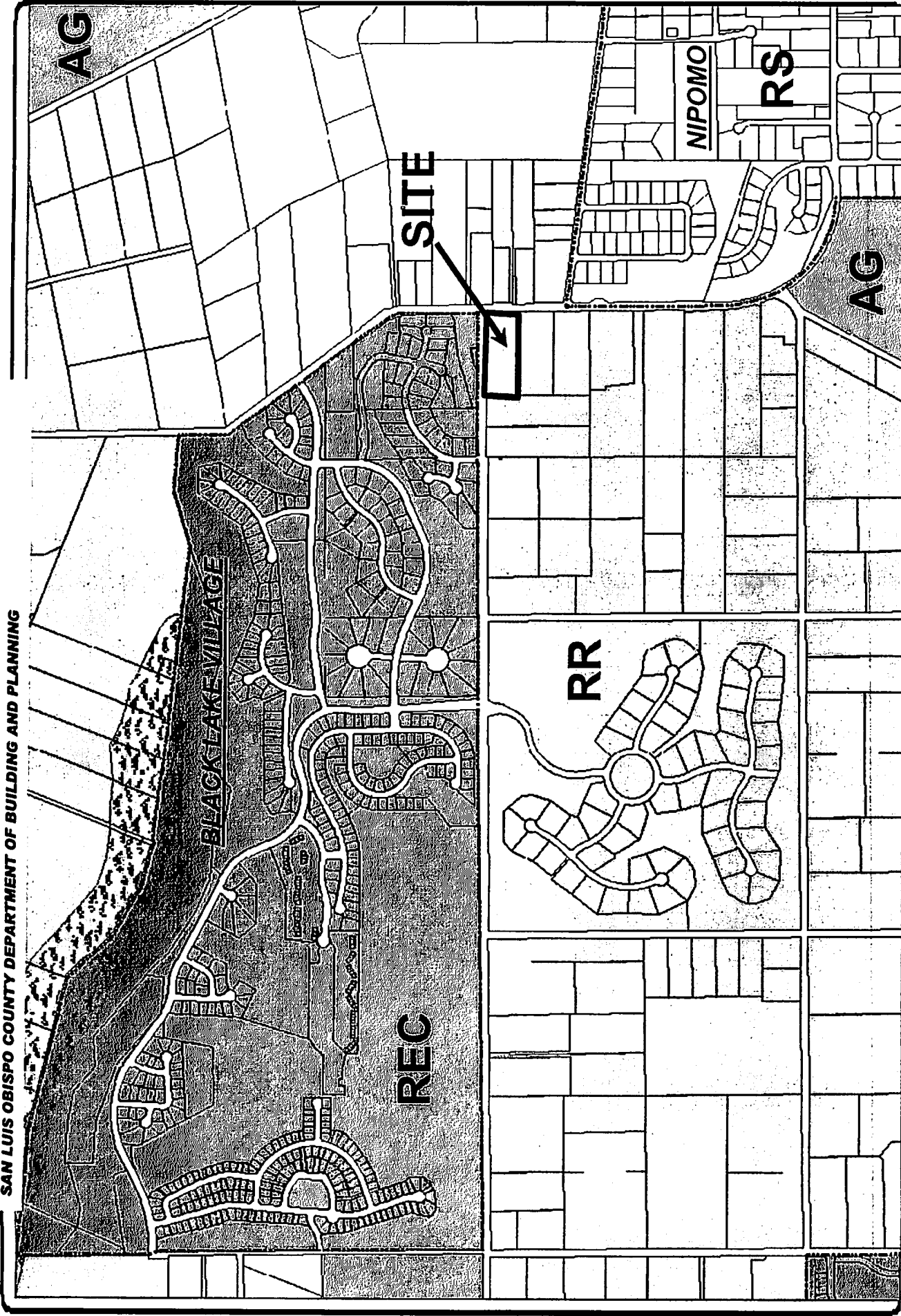
PROJECT

Minor Use Permit
Edwards DRC2008-00148



EXHIBIT

Vicinity Map



PROJECT

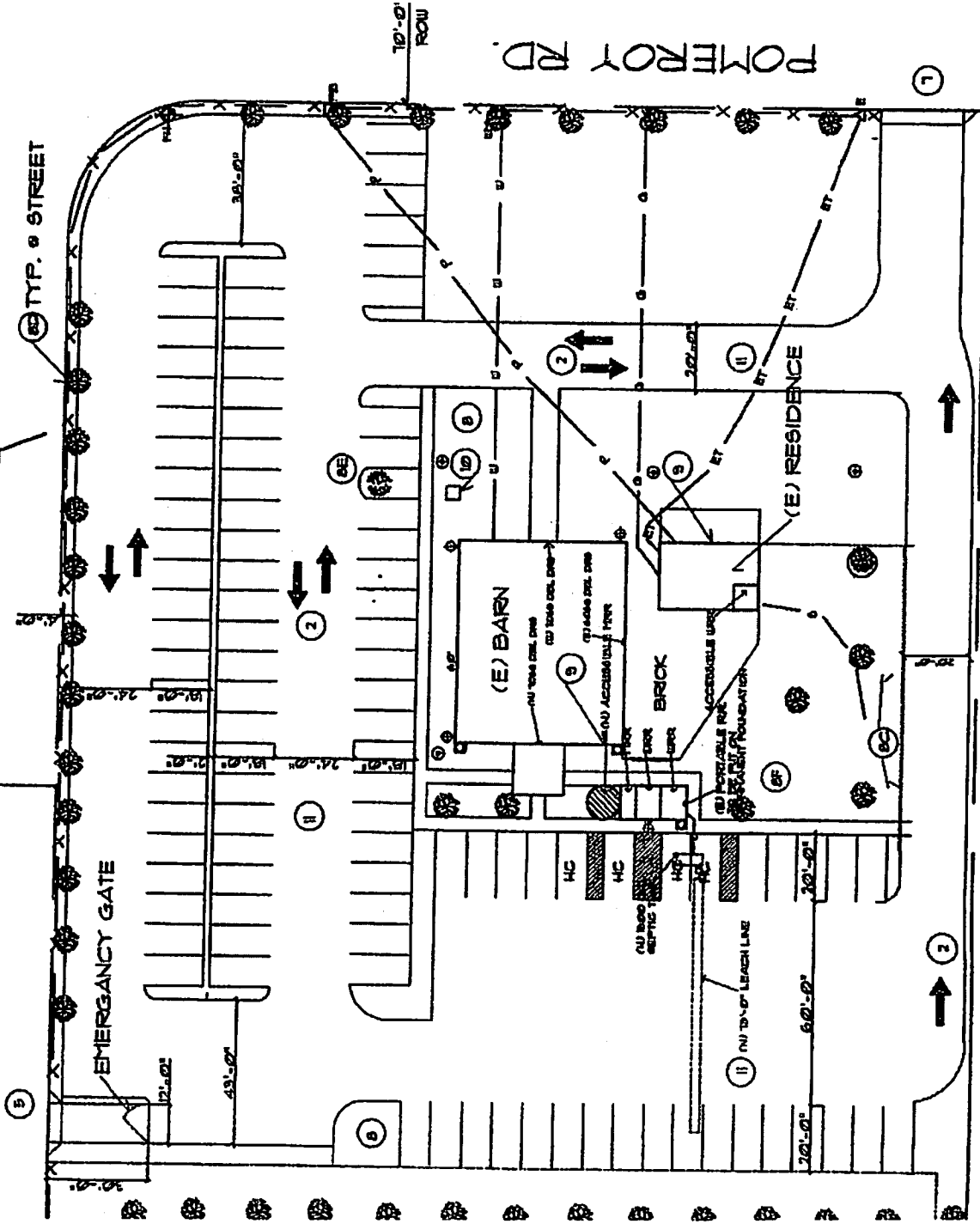
Minor Use Permit
Edwards DRC2008-00148



EXHIBIT

Land Use Category Map

WILLOW RD.

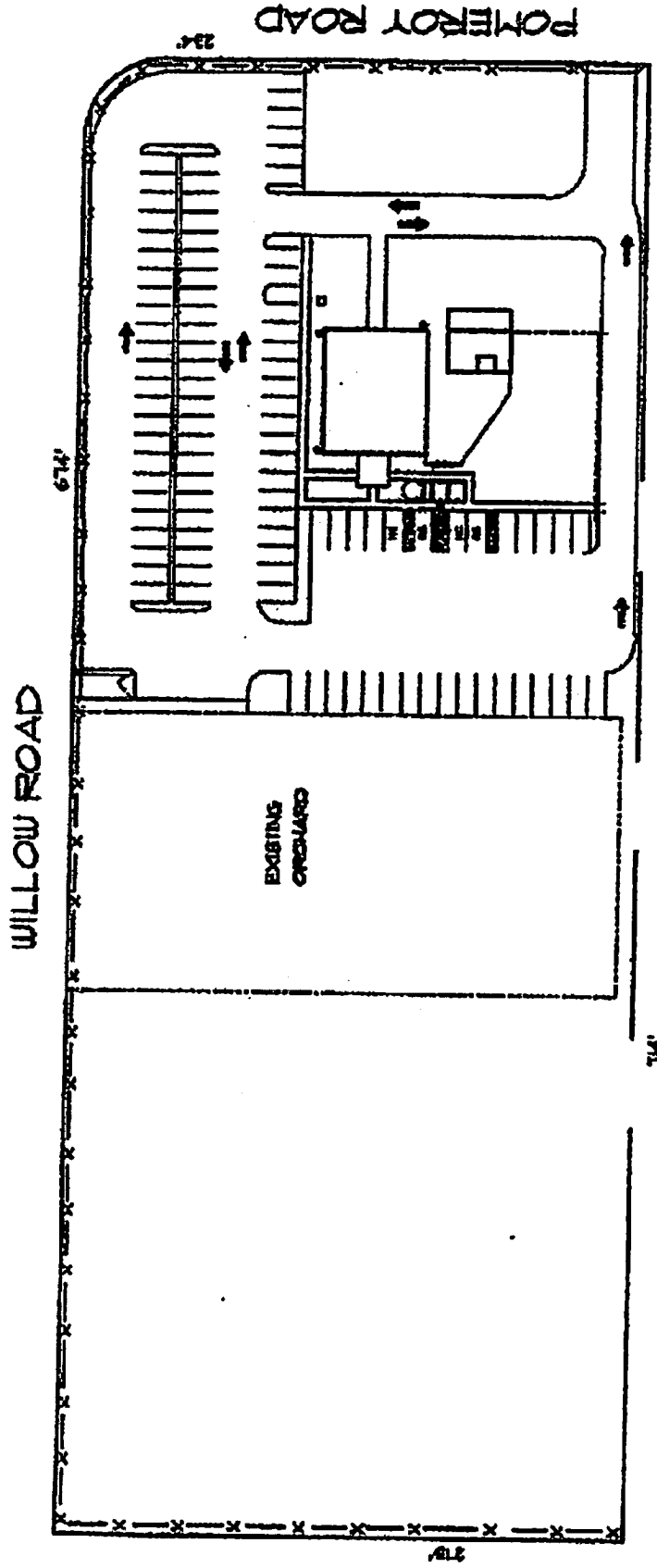


PROJECT

Minor Use Permit
Edwards DRC2008-00148

EXHIBIT

Site Plan



OVERALL SITE PLAN

1" = 60' - 0"

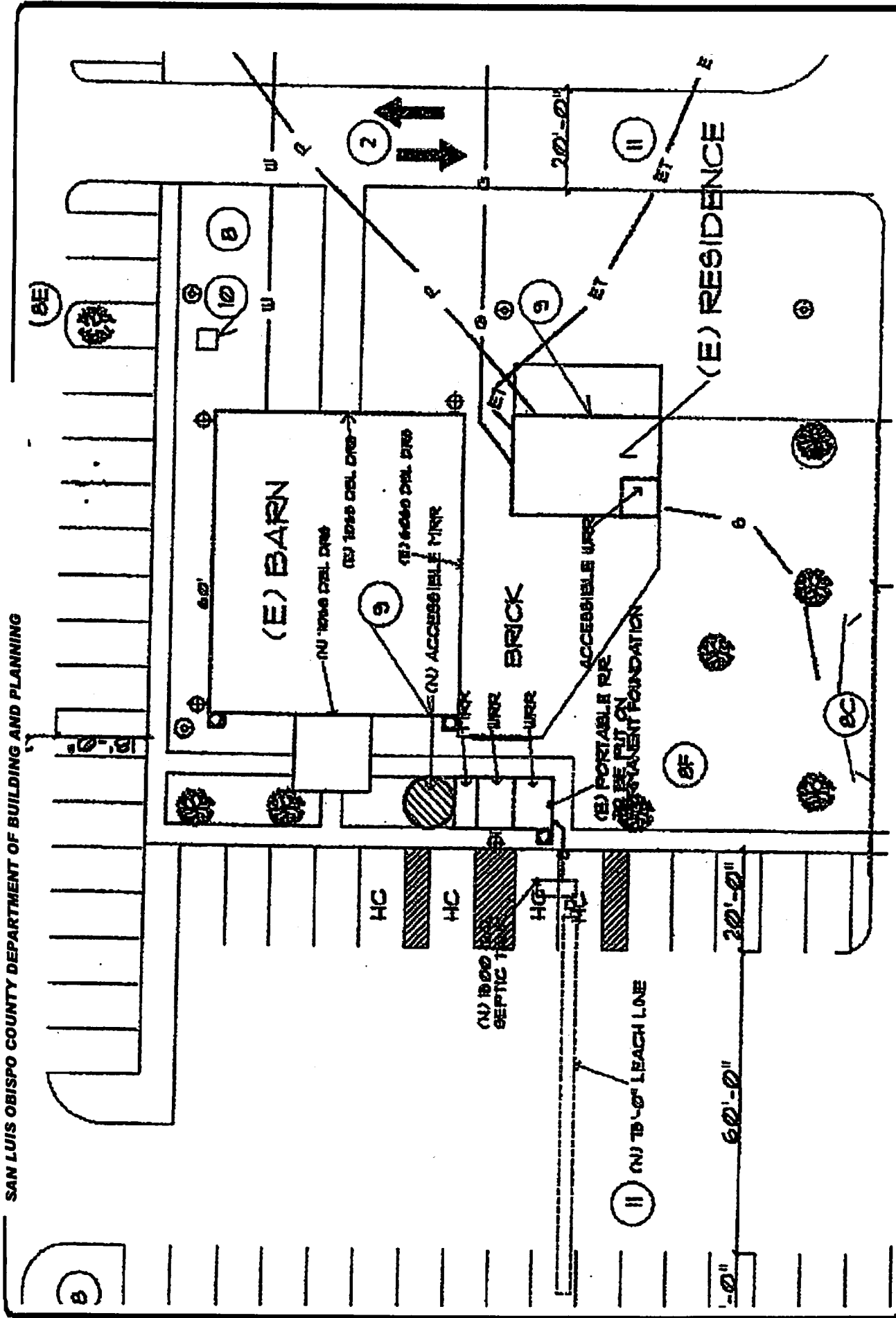
ARTYD & STOEET

PROJECT

Minor Use Permit
Edwards DRC2008-00148

EXHIBIT

Overall Site Plan

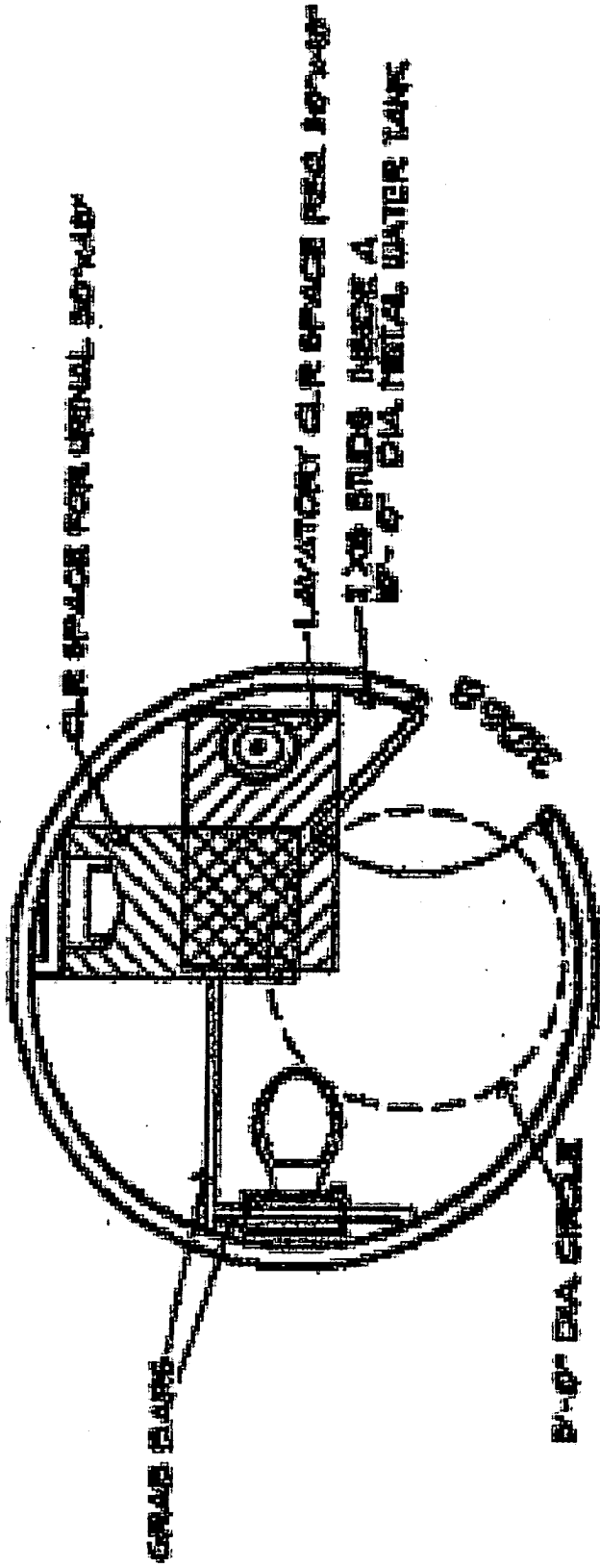


PROJECT Minor Use Permit
Edwards DRC2008-00148

EXHIBIT



Enlarged Site Plan



NEW RESTROOM

14' x 14'

PROJECT

Minor Use Permit
Edwards DRC2008-00148



EXHIBIT

New Restroom

PUBLIC WORKS RECOMMENDED CONDITIONS OF APPROVAL FOR: DRC2008-00148

MUP to add 16 special events for a site at the intersection of Pomeroy Road and Willow Road,
Nipomo [Edwards-Maui, 091-240-073]

Public Works Comments:

1. The project site is adjacent to the Willow Road project with Phase 1 work proposed to commence later this year.
2. Tract 2297 restricts access to Pomeroy and Willow roads. An existing emergency access driveway to Willow Road has been allowed by Public Works per the *Willow Road Extension Right-of-Way Agreement*, Items 2E, 2F & 3E.
3. The project is located within the South County Area 1 Road Impact fee area. All current fees shall be paid prior to building permit issuance. The road impact fee will be based on retail sales (auctions).
4. Public Works has reviewed and accepted as complete the April 14, 2010 OEG Peer Review of the ATE Traffic Study stating that Pomeroy Road left turn lane warrants have not been met with this project.

Referral prepared by: Glenn Marshall, 781-1596

Referral date: July 6, 2009

Referral revision date: March 11, 2010

Referral revision date: April 19, 2010

Recommended Conditions of Approval

1. **At the time of application for construction permits**, the applicant shall submit complete drainage calculations for review and approval in accordance with 22.52.080, which also delineates the potential extent of flood hazard in accordance with Section 22.112.040A2a. All drainage must be detained and the design of the basin is to be approved by the Department of Public Works.
2. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.090. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance 3143.
3. **Prior to issuance of construction permits**, the applicant shall pay current South County Area 1 Road Impact Fees.
4. **Prior to occupancy or final inspection**, the Willow Pomeroy Road driveway approach shall be reconstructed in accordance with County Public Improvement Standard B-1e. All driveway approaches constructed on County roads shall require an encroachment permit.



CAL FIRE
San Luis Obispo
County Fire Department

635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805.543.4244 • Fax: 805.543.4248
www.cdffslo.org



Matt Jenkins, Fire Chief

(This permit has been
renewed every year
since 2004. Mavi)

Special Use Permit

January 7, 2009

David & Mavi Edwards
1095 Pomeroy Road
Nipomo, CA. 93444

This permit authorizes special events to be held at the Edwards Barn located at 1095 Pomeroy Rd, Nipomo, CA. This permit is good until December 31, 2009 unless rescinded by the CAL FIRE/San Luis Obispo County Fire Department. Conditions of the permit include the following requirements:

1. Special Events must meet the obligations of the San Luis Obispo County Planning Commission.
2. Event must be sponsored by non-profit organizations.
3. Barbecues on site shall meet the following requirements:
 - a. Barbecue fires shall be confined to designated barbecue areas.
 - b. Barbecue units shall be at least 20 feet away from any building or tent structure.
 - c. There shall be at least 30 feet of vegetation clearance around barbecue units.
 - d. A responsible adult shall attend the barbecue fires at all times.
 - e. A garden hose attached to a viable water supply shall be available.
 - f. Barbecue fires shall be extinguished prior to the end of any event.
4. Occupancy limits within the barn shall comply with the California Fire Code Chapter 10.
5. A minimum of one 2:A 10:BC fire extinguisher shall be mounted in the barn.
6. Exit signs shall be illuminated and doors unlocked during special events.
7. No candles, smoking, or open flame shall be allowed within the barn or tent structures unless such devices comply with the California Fire Code Chapter 3.
8. Any tent or canopy structures shall comply with the California Fire Code Chapter 24.
9. A 20 fire lane shall be maintained around the exterior premises of the barn.
10. The property shall be cleared of weeds in compliances with PRC 4291.

Rick Swan
Fire Marshal

Cc: Battalion Chief Bill Fisher



CAL FIRE
San Luis Obispo
County Fire Department

635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805.543.4244 • Fax: 805.543.4248
www.cdfslo.org



† Matt Jenkins, Fire Chief

June 30, 2009

South County Team
Planning & Building Department
County Government Center
San Luis Obispo, CA 93408
Subject: DRC2008-00148 / Edwards Barn

CAL FIRE / San Luis Obispo County Fire Department has reviewed the referral for an additional 16 annual, special events at the Edwards barn located at 1095 Pomeroy Road, Nipomo, CA. The barn is located in State Responsibility Area within a High Fire Severity Zone. The closest fire station is approximately five miles away with a 5 to 10 minute response time.

All special events must comply with the Public Resources Code (PRC) and the California Fire Code (CFC), 2007 edition. All special events must meet the requirements of the Planning & Building Department. Use of the Edwards barn shall comply with the following conditions.

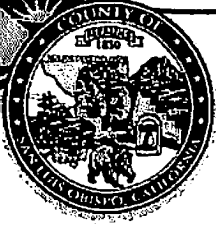
1. A minimum of one 2A:10BC fire extinguisher shall be mounted in the barn.
2. Exit signs shall be illuminated and doors unlocked during special events.
3. Occupancy load limits shall comply with table 1004.1.1 of the CFC.
4. No candles, smoking, or open flames are allowed in the barn, CFC 308.
5. Any tent or canopy shall comply with chapter 24 of the CFC.
6. A 20 foot fire lane shall be maintained around the perimeter of the barn.
7. The property shall be cleared of weeds, PRC 4291.
8. Recreational or cooking fires shall comply with CFC 307.
 - barbecue fires shall be confined to designated barbecue units
 - barbecue units shall be at least 20 feet away from the barn or tents
 - 30 feet of vegetation clearance is required around barbecue unit
 - responsible adult shall be in attendance of barbecue at all times
 - a garden hose attached to water spigot shall be available
 - all fires shall be extinguished prior to the end of any event
9. Contact local fire station prior to special events (805-929-3911).

Chad T. Zrelak / Fire Captain



CAL FIRE
San Luis Obispo
County Fire Department

635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805.543.4244 • Fax: 805.543.4248
www.cdfslo.org



Matt Jenkins, Fire Chief

December 1, 2009

DEC - 2 2009

South County Team
Planning & Building Department
County Government Center
San Luis Obispo, CA 93408

Subject: DRC 2008-00148 / Edwards Barn

Addendum to fire/life safety plan issued June 30, 2009. This letter is an attachment to the existing fire/life safety plan for the Edwards barn located at 1095 Pomeroy Road, Nipomo, CA 93444.

Due to the current use of the building with no change in occupancy use, and in keeping with previous fire/life safety plans relative to this facility, CAL FIRE will exempt the Edwards Barn from the installation of fire sprinklers provided the following requirements are met.

- Use of the building must be in compliance with fire safety letter dated June 30, 2009.
- A set of double doors with panic hardware must be installed on the west side of the barn. The door frame shall have a minimum dimension of 85 inches wide and 7 feet tall.
- All other existing doors shall have panic hardware.

For further information, I may be contacted at (805) 543-4244

Sincerely,

Chad T. Zrelak
Fire Captain



SAN LUIS OBISPO COUNTY HEALTH AGENCY

Public Health Department
2191 Johnson Avenue • P.O. Box 1489
San Luis Obispo, California 93406
805-781-5500 • FAX 805-781-5543

Jeff Hamm
Health Agency Director

Penny Borenstein, M.D., M.P.H.
Health Officer

November 15, 2009

Westland Engineering, Inc.
3480 S. Higuera St. Suite 130
San Luis Obispo, CA 93401

ATTN: TERRY ORTON
RE: SEPTIC SYSTEM DESIGN / PERC TESTING
DRC 2008-00148, SPECIAL EVENTS MUP - EDWARDS BARN
APN 091-240-073, POMEROY RD. NIPOMO

Dear Mr. Orton,

Thank you for submitting additional information regarding the above mentioned project. This office is in receipt of your Septic System Design Report (dated Oct. 5, 2009) as well as the Percolation Testing Report (dated October 26, 2009) prepared by GeoSolutions, Inc. It is clear from the data you presented that while the current septic system design is adequate for its current use, should it be challenged by more than one time per week by large (200 person) events, a failure would be possible.

In the future, with a mix of Special Events as described in the MUP application, the current non-profit events, and the typical daily flow, the applicant should be aware to space events (especially larger events) properly until the septic system can be expanded.

Should you have any questions I can be reached at (805) 781-5551.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie A. Terry", with a long horizontal line extending to the right.

LESLIE A. TERRY, R.E.H.S.
Environmental Health Specialist
Land Use Section



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 6/23/09 12/14/09

TO: Michael Conger, South County Team

FROM: Shaun Cooper, Parks

PROJECT DESCRIPTION: DRC2008-00148, EDWARDS- MUP to add 16 special events for site off Pomeroy Rd. in Nipomo. APN: 091-240-073.

Return this letter with your comments attached no later than: 14 days from receipt of this referral. By 7/8/09 please.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☒ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
☒ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

See attached trail condition

12/14/09	Shaun Cooper	x4388
Date	Name	Phone

Parks Conditions (12/14/09)
Edwards (DRC2008-00148)

The following language would appear under the **Access and Improvements** heading of the conditions.

The applicant shall offer for dedication to the public by certificate on the final map or by separate document:

1. A minimum 10 foot wide public access trail easement located along the Pomeroy Road frontage. The location and design of the proposed trail easement shall be reviewed and approved by County Parks prior to recordation of the Final Map or approval of improvement plans (whichever occurs first). The trail easement shall be located (1) to minimize disturbance of sensitive vegetation, (2) on relatively flat land, and (3) outside of potential safety or high maintenance areas.